From:	Jim Campbell
To:	Stephens, Bob
Subject:	RE: United States v. North Carolina: Position on Motion to Intervene
Date:	Thursday, July 7, 2016 9:54:11 AM

Thank you, Mr. Stephens.

From: Stephens, Bob [mailto:bob.stephens@nc.gov]
Sent: Wednesday, July 06, 2016 7:29 PM
To: Jim Campbell
Cc: candyce.phoenix@usdoj.gov; corey.stoughton@usdoj.gov; Dwayne.Bensing@usdoj.gov; lori.kisch@usdoj.gov; ripley.rand@usdoj.gov; sean.r.keveney@usdoj.gov; Torey.Cummings@usdoj.gov; Whitney.Pellegrino@usdoj.gov; Taryn.Null@usdoj.gov; butch@butchbowers.com; bstewart@mgsattorneys.com; tbrooks@mgsattorneys.com; fgordon@mgsattorneys.com; rdriscoll@mcglinchey.com; amajmundar@ncdoj.gov; ovysotskaya@ncdoj.gov; ccpratt@northcarolina.edu; gdnager@jonesday.com; jmburnham@jonesday.com; njfrancisco@jonesday.com; Kyle Duncan; Gene Schaerr; Robert Potter; Ken Connelly; Caleb Dalton; Wakely, Lindsey E
Subject: Re: United States v. North Carolina: Position on Motion to Intervene

Mr. Campbell, the State, the Governor, and the DPS do not oppose NCFP's motion to expedite responses to its motion to intervene.

Robert C. Stephens
General Counsel
Office of the Governor of NC
Phone: (919) 814-2027
Email: bob.stephens@nc.gov

On Jul 6, 2016, at 3:56 PM, Jim Campbell <jcampbell@adflegal.org> wrote:

> Counsel,
>
> As you know, last week (on June 28), North Carolinians for Privacy (NCFP) filed a motion to intervene in the above-mentioned case. Subsequently, the plaintiff filed a motion for preliminary injunction, and NCFP's corresponding lawsuit in the Eastern District of North Carolina was transferred to the Middle District and is now pending before Judge Schroeder. Consequently, the urgency for a ruling on NCFP's motion to intervene has increased because its members' interests are directly jeopardized by the pending motion for preliminary injunction and because many of the same issues that its case raises will be addressed in the pending motion for preliminary injunction. Absent NCFP's prompt intervention in *United States v. North Carolina* and an opportunity to respond to the plaintiff's motion for preliminary injunction, NCFP will likely be forced to take steps to expedite its case before Judge Schroeder. If, however, NCFP is allowed to participate in the pending proceedings, it will likely not need to take those steps.
>
> I am writing today for two reasons.
>
> The first is to ask the plaintiff if it is willing to consent to NCFP's motion to intervene given the changed circumstances. Doing that will streamline the related litigation

pending before Judge Schroeder and likely alleviate the need for NCFP to pursue steps to expedite its case.

The second reason is to inform all the parties of NCFP's intent to file a motion to expedite the responses to its motion to intervene and to seek all parties' positions on that motion to expedite. NCFP intends to ask the court to schedule the deadline for responses to its motion to intervene on Tuesday July 12. Please let us know your position on that request. NCFP intends to file the motion to expedite tomorrow afternoon, so if possible, please respond with your position on that motion by Thursday at 2:00 pm.

Best regards,
Jim Campbell

<logo8a1293>

Jim Campbell
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From: Caleb Dalton [mailto:CDalton@adflegal.org]
Sent: Monday, June 27, 2016 5:39 PM
To: candyce.phoenix@usdoj.gov; corey.stoughton@usdoj.gov; Dwayne.Bensing@usdoj.gov; lori.kisch@usdoj.gov; ripley.rand@usdoj.gov; sean.r.keveney@usdoj.gov; Torey.Cummings@usdoj.gov; Whitney.Pellegrino@usdoj.gov; Taryn.Null@usdoj.gov; butch@butchbowers.com; Stephens, Bob <bob.stephens@nc.gov>; bstewart@mgsattorneys.com; tbrooks@mgsattorneys.com; fgordon@mgsattorneys.com; rdriscoll@mcglinchey.com; amajmundar@ncdoj.gov; ovysotskaya@ncdoj.gov; ccpratt@northcarolina.edu; gdnager@jonesday.com; jmburnham@jonesday.com; njfrancisco@jonesday.com
Cc: Jim Campbell <jcampbell@adflegal.org>; Joseph E. La Rue <jlarue@adflegal.org>
Subject: United States v. North Carolina: Position on Motion to Intervene

Dear Counsel:

North Carolinians for Privacy intends to move to intervene in *United States of America v. North Carolina* (M.D.N.C. No. 1:16-cv-00425) to protect its and its members interests. *See North Carolinians for Privacy v. United State Dep't of Justice*, No. 5:16-cv-245 (E.D.N.C. May 10, 2016).

Your response by close of business tomorrow (June 28) with your clients' position on the motion is appreciated.

Best Regards,
Caleb

<image001.png>

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